

PCB CI 06-01 -- K-8 Virtual Schools

ORIGINAL

A bill to be entitled

An act relating to K-8 virtual schools; creating s. 1002.375, F.S.; establishing the Kindergarten through Grade 8 (K-8) Virtual School Program within the Department of Education; providing student eligibility requirements; requiring enrolled students to meet compulsory school attendance requirements and participate in the statewide assessment program; providing school eligibility requirements; authorizing schools to be for-profit or nonprofit entities; providing a school application procedure; requiring applicants to verify certain information and submit certain plans; providing for 3-year contracts for approved schools and authorizing contract renewals; designating participating schools as independent schools; requiring schools to provide each student with the materials, equipment, and services necessary to receive instruction; authorizing the current pilot K-8 virtual schools to continue operation through the 2006-2007 school year; requiring pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; requiring program funding to be established annually in the General Appropriations Act and providing a payment schedule to schools; requiring schools to participate in the statewide assessment program and be subject to the school grading system; requiring school improvement plans for low-performing schools and contract termination for continued low school performance; providing causes for nonrenewal or termination of a school contract and responsibility for debt; providing for student enrollment in another public school under certain

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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circumstances; requiring rulemaking; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1002.375, Florida Statutes, is created to read:

1002.375 K-8 Virtual School Program.--

(1) K-8 VIRTUAL SCHOOL PROGRAM.--Subject to annual legislative appropriation, the Kindergarten through Grade 8 (K-8) Virtual School Program is established within the Department of Education for the purpose of making academic instruction available to full-time students in kindergarten through grade 8 using on-line and distance learning technology. The department must use an application process to select schools to participate in the program and to deliver program instruction.

(2) STUDENT ELIGIBILITY.--

(a) Enrollment in each participating school is open to any K-8 student in the state provided the student meets at least one of the following conditions:

1. The student has spent the prior school year in attendance at a Florida public school. Prior year school attendance means the student was enrolled and reported by a public school district for funding during the preceding October and February Florida Education Finance Program surveys.

2. The student was enrolled during the prior school year in a K-8 virtual school funded pursuant to this section or the 2005-2006 General Appropriations Act.

3. The student is eligible to enroll in kindergarten or the first grade.

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4. The student has a sibling who is currently enrolled in a participating K-8 virtual school and was enrolled at the end of the prior school year.

(b) Students enrolled in a participating K-8 virtual school are subject to the compulsory school attendance requirements of s. 1003.21. Student attendance must be verified according to department procedures.

(c) Each student enrolled in a participating K-8 virtual school must take the statewide assessments required under s. 1008.22 within the student's school district of residence, which must provide that student with access to the district's testing facilities.

(3) SCHOOL ELIGIBILITY.--

(a) To be eligible to participate in the K-8 Virtual School Program, a school must meet the following conditions:

1. Be nonsectarian in its programs, admission policies, employment practices, and operations.

2. Comply with the antidiscrimination provisions of s. 1000.05.

3. Participate in the state's performance accountability system created under s. 1008.31.

4. Locate its administrative office in the state and require its administrative and instructional staff members to be state residents.

5. Require no tuition or student registration fee.

(b) Schools applying to participate in the K-8 Virtual School Program may be for-profit or nonprofit entities.

(4) APPLICATION PROCEDURES.--

(a) The department must provide an application form to be completed by schools seeking to participate in the K-8 Virtual

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School Program. Initial application forms must be made available in sufficient time to enable schools to apply and be approved to participate in the program by the beginning of the 2007-2008 school year. In addition to information that may be required by the department, each applicant must provide verification that:

1. The applicant meets the eligibility criteria required by this section.

2. All members of the school's instructional staff are professional educators certified according to the provisions of chapter 1012.

3. All school employees have undergone background screening as required by s. 1012.32.

(b) In addition to a completed application form, each applicant must provide the department with:

1. A detailed plan describing how the school curriculum and course content will conform to the Sunshine State Standards.

2. An annual financial plan for each year of operation of the school for a minimum of 3 years. The plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

(c) The department must approve or deny a school's participation in the K-8 Virtual School Program within 90 days after the receipt of an application.

(5) PARTICIPATING SCHOOLS.--

(a) A school approved by the department to participate in the K-8 Virtual School Program must receive an initial 3-year contract with the department to provide program services, subject to annual department review and legislative appropriation.

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Contract renewals may be for up to 5 years upon agreement of both parties, contingent upon annual funding in the General Appropriations Act.

(b) A school approved to participate in the program is deemed to be an independent virtual school, providing on behalf of the state a full-time, 180-day, on-line program of instruction to students in kindergarten through grade 8.

(c) A school approved to participate in the program must provide each student with:

1. All necessary instructional materials.

2. All equipment, including, but not limited to, a computer, computer monitor, and printer for each household that has a student enrolled in the virtual school.

3. Access to or reimbursement for all Internet services necessary for on-line delivery of instruction for each household that has a student enrolled in the virtual school.

(6) PILOT SCHOOLS.--

(a) The two pilot K-8 virtual schools for which funding was provided in the 2005-2006 General Appropriations Act are authorized to continue operation for the 2006-2007 school year.

(b) With the exception of the application and contracting requirements, the pilot schools are subject to the provisions of this section for the 2006-2007 school year.

(c) Each pilot school must complete the application requirements of this section and be approved by the department in order to participate in the K-8 Virtual School Program beyond the 2006-2007 school year.

(7) FUNDING.--

(a) State funding for each participating K-8 virtual school must be based on total program enrollment and an amount per full-

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time equivalent student established annually in the General
Appropriations Act.

(b) Upon proper documentation of student enrollment reviewed and approved by the department, payments must be made to participating K-8 virtual schools in four equal payments no later than September 1, November 1, February 1, and April 15 of each academic year. The initial payment must be made after department verification of student admission acceptance, and subsequent payments must be made upon verification of continued enrollment and attendance.

(8) ASSESSMENT AND ACCOUNTABILITY.--

(a) Each participating K-8 virtual school must participate in the statewide assessment program created under s. 1008.22 and be subject to the school grading system created under s. 1008.34.

(b) A participating K-8 virtual school with a performance grade category of "D" or "F" must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(c) The department must terminate the contract of any K-8 virtual school receiving a performance grade category of "D" or "F" for 2 school years in a 4-year period.

(9) CAUSES FOR NONRENEWAL OR TERMINATION OF CONTRACT.--

(a) At the end of a contract with a K-8 virtual school, the department may choose not to renew the contract on any of the following grounds:

1. Failure to participate in the state's performance accountability system created under s. 1008.31, as required in this section.

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2. Failure to receive a school performance grade category of "C" or better under the school grading system created under s. 1008.34 for 2 school years in a 4-year period.

3. Failure to meet generally accepted standards of fiscal management.

4. Violation of law.

5. Failure of the Legislature to fund the K-8 Virtual School Program.

6. Other good cause shown.

(b) During the term of a contract, the department may terminate the contract on any of the grounds listed in paragraph (a).

(c) If a contract is not renewed or is terminated, the K-8 virtual school is responsible for all debts of the school.

(d) If a contract is not renewed or is terminated, a student who attended the school may apply to and shall be enrolled in another public school.

(10) RULES.--The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 as may be necessary to implement and administer this section.

Section 2. This act shall take effect July 1, 2006.